

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 14. Motion for Extension of Time

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form14instructions.pdf>

9th Cir. Case Number(s) 22-15166 & 22-15167

Case Name Coronavirus Reporter et al., v. Apple, Inc.

Requesting Party Name(s) Appellants

I am: ☐ The party requesting the extension.
☒ Counsel for the party or parties requesting the extension.

I request an extension of time to file a:

- ☒ Brief (*you must also complete the Declaration on page 3*)
☐ Motion to proceed in forma pauperis
☐ Motion for a certificate of appealability
☐ Response/opposition to a pending motion
☐ Reply to a response/opposition to a pending motion
☐ Certified Administrative Record
☐ Response to court order dated
☐ Other (*you must describe the document*)

The requested new due date is: January 4, 2022

I request the extension of time because (**cannot be left blank**):
(attach additional pages if necessary)

I respectfully request this additional extension as I have recently had to bring in a new attorney, R. Paul Katrinak, to assist me who has to get up to speed with the case. I have diligently been working on preparing the Reply and due to the complexity of the issues and a number of other matters that require urgent attention, I need assistance to complete the Reply. This case is a complex Anti-Trust case and there is substantial research that needs to be conducted for purposes of replying the opposition.

Signature /s/ S. Michael Kernan

Date November 17, 2022

(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Recitals in criminal and immigration cases pursuant to Circuit Rule 27-8

Complete this section for criminal or immigration cases.

Previous requests for extension of time to file the document, including any request for a Streamlined Extension of Time under Circuit Rule 31-2.2(a) (*select one*):

- ☐ I have **NOT** filed a previous request to extend time to file the document.
- ☒ I have previously requested an extension of time to file the document.

This motion is my request.

(Examples: first, second)

Bail/detention status (*select one*):

- ☐ The defendant is incarcerated. The projected release date is: .
- ☐ The petitioner is detained.
- ☐ The defendant/petitioner in this criminal/immigration case is at liberty.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

Declaration in support of extension to file brief under Circuit Rule 31-2.2(b)
Complete this section if you are requesting an extension of time to file a brief.

1. I request an extension of time to file the Reply Brief brief.
(Examples: opening, answering, reply, first cross-appeal)
2. The brief's current due date is: December 5, 2022
3. The brief's first due date was: October 28, 2022
4. A more detailed explanation of why the extension of time to file the brief is necessary: *(Under Circuit Rule 31-2.2(b), a request for extension of time to file a brief must be "supported by a showing of diligence and substantial need" and a conclusory statement as to the press of business does not constitute such a showing. Attach additional pages if necessary.)*

See attached page.
5. The position of the other party/parties regarding this request is:
☒ Unopposed.
☐ Opposed by *(name of party/parties opposing this motion):*

☐ Unknown. I am unable to verify the position of the other party/parties because:
6. ☐ The court reporter is not in default with regard to any designated transcripts.
If the court reporter is in default, please explain:
7. ☒ I have exercised diligence and I will file the brief within the time requested.

I declare under penalty of perjury that the foregoing is true and correct.

Signature /s/ S. Michael Kernan

Date November 17, 2022

(use "s/[typed name]" to sign electronically-filed documents)

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STATEMENT FOR EXTENSION

I respectfully request this additional extension as I have recently had to bring in a new attorney, R. Paul Katrinak, to assist me who has to get up to speed with the case. I have diligently been working on preparing the Reply and due to the complexity of the issues and a number of other matters that require urgent attention, I need assistance to complete the Reply. This case is a complex Anti-Trust case and there is substantial research that needs to be conducted for purposes of addressing the opposition.

I had requested a 30-day extension from opposing counsel for a 30-day extension beyond the automatic 30-day extension, but we filed we inadvertently just the 30-day automatic extension.

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 15. Certificate of Service for Electronic Filing

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form15instructions.pdf>

9th Cir. Case Number(s) 22-15166 & 22-15167

I hereby certify that I electronically filed the foregoing/attached document(s) on this date with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system.

Service on Case Participants Who Are Registered for Electronic Filing:

I certify that I served the foregoing/attached document(s) via email to all registered case participants on this date because it is a sealed filing or is
☒ submitted as an original petition or other original proceeding and therefore cannot be served via the Appellate Electronic Filing system.

Service on Case Participants Who Are NOT Registered for Electronic Filing:

I certify that I served the foregoing/attached document(s) on this date by hand delivery, mail, third party commercial carrier for delivery within 3 calendar
☐ days, or, having obtained prior consent, by email to the following unregistered case participants (*list each name and mailing/email address*):

Description of Document(s) (*required for all documents*):

Motion for Extension of Time

Signature /s/ S. Michael Kernan

Date November 17, 2022

(use "s/[typed name]" to sign electronically-filed documents)

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